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10/656,502

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Stephen Y.F. Pang

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TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER

NGUYEN, MINH CHAU

ART UNIT

PAPER NUMBER

2145

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/656,502	<b>Applicant(s)</b> PANG, STEPHEN Y.F.	
	<b>Examiner</b> MINH-CHAU N. NGUYEN	<b>Art Unit</b> 2145	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

*MN*

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 7 is objected to because of the following informalities:
2. In claim 7, the phrase "the method of claim 16" is incorrect because claim 7 cannot depend on claim 16. Therefore, the Examiner will interpret claim 7 depends on claim 1. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-11,23-24,26-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leeds (US 2002/0016824 A1), and further in view of Macavinta ("FTC searches for spam solution").
2. Claim 1, Leeds teaches a method for a computer system comprises:
  - receiving a first unsolicited commercial electronic mail message initiated by an e- mail sender (paragraph 11-12,24-26,36,40);
  - sending a request not to receive any future unsolicited commercial electronic mail messages initiated by the e-mail sender at an electronic mail address where the unsolicited commercial electronic mail message was received (paragraph 40);

receiving a second unsolicited commercial electronic mail message  
(paragraph 25-26,33-36,40);

automatically determining whether the e-mail sender is in violation of the  
request, in response to the second unsolicited commercial electronic mail  
message (paragraph 25-26,33-36,40); and

Leeds fails to teach when the e-mail sender is in violation of the request,  
reporting the violation of the request. However, Macavinta, in the same field of  
endeavor having closely related objectivity, teaches when the e-mail sender is in  
violation of the request, reporting the violation of the request (i.e. the Federal  
Trade Commission (FTC) has the authority to crack down on junk mailers or  
spammers. In addition, "Even America Online, which has had fought junk mail ...  
free-speech grounds". Therefore, the service provider which handles the  
automatically eliminate the junk email, reports the violation of the email sender)  
(page 1).

Thus, it would have been obvious to one of ordinary skill in the art at the  
time the invention was made to have incorporated Macavinta's teachings of when  
the e-mail sender is in violation of the request, reporting the violation of the  
request, in the teachings of Leeds in junk electronic mail detector and eliminator,  
for the purpose of providing improved users' satisfaction by eliminating  
unsolicited or junk emails.

3. Claim 2, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches requesting not to receive any future unsolicited commercial electronic mail messages initiated by the e-mail sender comprises sending to the e-mail sender a communication selected from the group: reply electronic mail message, Internet-based communication ("Today, the Federal Trade Commission tried to hear both sides of the spam argument ... the agency to clean up its act") (page 1).

4. Claim 3, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches storing in a file an e-mail address of the e-mail sender (i.e. a list or a series of "seeded" email addresses of senders); and wherein automatically determining whether the e-mail sender is in violation of the request comprises comparing an e-mail address of a sender of the second unsolicited commercial electronic mail message to the e-mail address of the e-mail sender in the file (paragraph 36,40).

5. Claim 4, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches reporting the violation of the request comprises reporting the violation of the request to one or more of the following: a user associated with the electronic mail address, an internet service provider, a governmental entity (i.e. "Today, the Federal Trade Commission tried to hear both sides of the spam

argument ... the agency to clean up its act” and “Even America Online, which has had fought junk mail ... free-speech grounds”) (page 1).

6. Claim 5, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches the governmental entity is selected from the group: law enforcement authorities, state authorities, federal authorities (i.e. FTC or federal regulators) (page 1).

7. Claim 6, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches the Internet service provider is selected from the group: Internet service provider associated with the user, Internet service provider associated with the e-mail sender (i.e. Internet service provider associated with the user) (paragraph 37,40).

8. Claim 7, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches sending the request to the Internet service provider (paragraph 37,40). Besides this, Macavinta teaches reporting the violation of the request comprises providing the first unsolicited commercial electronic mail message, the request, and the second unsolicited commercial electronic mail message to the federal regulators (i.e. FTC) (page 1).

9. Claim 8, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches reporting the violation of the request comprises reporting the violation of the request to a third-party clearing house of request violations (i.e. federal regulators or FTC) (page 1).

10. Claim 9, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches:

determining an electronic mail rule (i.e. rule filters) in response to the first unsolicited commercial electronic mail message initiated by the e-mail sender (paragraph 24,26,36),

wherein the electronic mail rule determines whether subsequent e-mail messages are initiated by the e-mail sender (paragraph 40),

wherein when a subsequent e-mail was initiated by the e-mail sender, the electronic mail rule generates a notification (paragraph 40);

wherein when the subsequent e-mail was initiated by the e-mail sender, the electronic mail rule automatically deletes the subsequent e-mail (paragraph 26,36,40);

wherein automatically determining whether the e-mail sender in violation of the request is performed by the electronic mail rule (paragraph 24-26,33,36,40).

In addition, Macavinta teaches reporting the violation of the request comprises outputting the violation report (i.e. "Today, the Federal Trade

Art Unit: 2145

Commission tried to hear both sides of the spam argument ... the agency to clean up its act” and “Even America Online, which has had fought junk mail ... free-speech grounds”. The America Online had to report the violation of the request for unsolicited or junk emails before it has had fought in the court (i.e. FTC)) (page 1).

11. Claim 10, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches receiving the first unsolicited commercial electronic mail message comprises receiving the first unsolicited commercial electronic mail message via an e-mail interface selected from the group: Outlook, GroupWise, HotMail, Yahoo!, Excite, Earthlink, GeoCities, AOL, Compuserve, Prodigy, MSN (i.e. America Online (AOL)) (page 1).

12. Claim 11, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches the internet service provider determines that the second unsolicited commercial electronic mail message includes header information that uses a domain name (i.e. host name) of the internet service provider without permission of the internet service provider, in response to the violation of the request (paragraph 27-32,40).

13. Claim 23, Leeds teaches a computer system comprises:

a processor configured to execute code (paragraph 22); and

a memory coupled to the processor (paragraph 22), wherein the memory includes:

- code that directs the processor to provide a first junk e-mail message initiated by an e-mail sender to a user at a user e-mail address (paragraph 11-12,24-26,36,40);

- code that directs the processor to receive a remove request from the user regarding the first junk e-mail message (paragraph 40);

- code that directs the processor to send a request to the e-mail sender not to initiate any future junk e-mail messages to the user e-mail address (paragraph 40),

- code that directs the processor to store the request in the memory (paragraph 22,40);

- code that directs the processor to determine receipt of a second junk e-mail message initiated by the e-mail sender to the user e-mail address (paragraph 25-26,33-36,40);

Leeds fails to teach generating a report of a violation of the request in response a determination of receipt of the second junk e-mail message.

However, Macavinta, in the same field of endeavor having closely related objectivity, teaches generating a report of a violation of the request in response a determination of receipt of the second junk e-mail message (i.e. "Today, the Federal Trade Commission tried to hear both sides of the spam argument ... the agency to clean up its act" and "Even America Online, which has had fought junk

mail ... free-speech grounds". The America Online had to report the violation of the request for unsolicited or junk emails before it has had fought in the court. Therefore, the service provider which handles the automatically eliminate the junk email, reports the violation of the email sender) (page 1).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Macavinta's teachings of generating a report of a violation of the request in response a determination of receipt of the second junk e-mail message, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

14. Claim 24, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches an indication of the first junk e-mail message, an indication of the second junk e-mail message, an indication of the e-mail sender, and an indication of the request (paragraph 40). Besides this, Macavinta teaches the report of the violation (page 1).

15. Claim 26, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches sending the report of the violation to a third-party server (i.e. Direct Marketing Association or AOL) (page 1).

16. Claim 27, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches the third party server (i.e. Direct Marketing Association or AOL) provides e-mail filtering-out services (i.e. opt-out choice for "email preference" or "bulk unsolicited email"), and wherein the third party server returns updated e-mail filters in response to the report of the violation (page 1).

17. Claim 28, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches filter-out subsequent junk e-mail messages from the e-mail sender, in response to the updated e-mail filters (i.e. "Another industry group, the Direct Marketing Association ... their names from marketing email lists") (page 1).

18. Claim 30, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches the third party server comprises a service provider associated with the second junk e-mail message (i.e. "Another industry group, the Direct Marketing Association ... their names from marketing email lists" and "AOL supports Sen. Bob Torricelli's ... a fine of up to \$5,000") (page 1).

19. Claim 33, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches the memory also includes: code that directs the processor to provide the report of the violation of the request to the user at the user e-mail

address (i.e. sending a notification of the violation of the request to the user from the service provider) (paragraph 40).

20. Claim 34, Leeds teaches a computer program product for a computer system including a processor and a display comprises:

code that directs the processor to initiate sending a request to an e-mail sender of a first unsolicited commercial e-mail message to not send any future unsolicited commercial e-mail message to a user e-mail address where the first unsolicited commercial e-mail message was addressed in response to a user input (paragraph 22,40);

code that directs the processor to maintain a log of the first unsolicited commercial e-mail message and the request (i.e. a list or a series of "seeded" email addresses of senders) (paragraph 22,36,40);

wherein the codes reside on a tangible media (paragraph 22).

Leeds fails to teach generating a report when a second unsolicited commercial e-mail message to the user e-mail address is from the e-mail sender; and outputting the report. However, Macavinta, in the same field of endeavor having closely related objectivity, teaches generating a report when a second unsolicited commercial e-mail message to the user e-mail address is from the e-mail sender; and outputting the report (i.e. "Today, the Federal Trade Commission tried to hear both sides of the spam argument ... the agency to clean up its act" and "Even America Online, which has had fought junk mail ... free-speech

grounds". The America Online had to report the violation of the request for unsolicited or junk emails before it has had fought in the court. Therefore, the service provider which handles the automatically eliminate the junk email, reports the violation of the email sender) (page 1).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Macavinta's teachings of generating a report when a second unsolicited commercial e-mail message to the user e-mail address is from the e-mail sender; and outputting the report, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

21. Claim 36, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches code that directs the processor to initiate an e-mail rule configured to filter out e-mail messages from the e-mail sender in response to the user input and the first unsolicited commercial e-mail message (paragraph 26).

22. Claim 37, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches the e-mail rule is configured to determine if a second unsolicited commercial e-mail message to the user e-mail address is from the e-mail sender (paragraph 26,40).

23. Claim 39, Leeds and Macavinta disclose the invention substantially as claimed.

Leeds teaches code that directs the processor to output the report comprises code that directs the processor to output the report (i.e. the notification) to the user (paragraph 40).

24. Claim 40, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches outputting the report comprises code that directs the processor to output the report to a party selected from the group: internet service provider, e-mail service provider, third-party server, governmental authority (i.e. FTC is a governmental authority) (page 1).

25. Claim 41, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches:

the report is output to a third party server (i.e. the Direct Marketing Association) (page 1);

wherein the third party server (i.e. the Direct Marketing Association) updates a filter-out rule to include the e-mail sender in response to the report (i.e. an opt-out choice which has an "email preference" option that remove the user's names from the spammer's email lists. In the other word, this option is used to filter the email sender (spammer) from the user's mailbox) (page 1); and

wherein the computer program product further comprises code that directs the processor to receive and implement the filter-out rule from the third party server (page 1).

26. Claim 43, Leeds and Macavinta disclose the invention substantially as claimed.

Macavinta teaches the report is output to a service provider (i.e. AOL) associated with the user e-mail address (page 1).

27. Claims 29,31,32 are corresponding system claims of method claims 5,11,2.

Therefore, they are rejected under the same rationale.

28. Claims 35,38,42 are corresponding computer program product claims of method claims 2,24,5. Therefore, they are rejected under the same rationale.

29. Claims 12-22,25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leeds and Macavinta as applied to claim 23 above, and further in view of Cobb (US 6,199,102 B1).

30. Claim 12, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Leeds teaches a method for a computer system comprises: each unwanted e-mail request violation includes an indication of a first unsolicited commercial e-mail message initiated by an e-mail sender, an indication of a request to the e-mail sender not to initiate any future unsolicited

commercial e-mail messages to a user e-mail address, and an indication of a second unsolicited commercial e-mail message initiated by an e-mail sender in violation of the request (paragraph 40), and Macavinta teaches receiving reports of unwanted e-mail request violations by e-mail senders from users at user e-mail addresses (page 1).

Leeds and Macavinta fail to teach determining whether a number of reports of unwanted e-mail request violations by a specific e-mail sender exceeds a threshold number; and when the number of reports of unwanted e-mail request violations exceeds the threshold number, reporting the unwanted e-mail request violations. However, Cobb, in the same field of endeavor having closely related objectivity, teaches determining whether a number of reports of unwanted e-mail request violations by a specific e-mail sender exceeds a threshold number; and when the number of reports of unwanted e-mail request violations exceeds the threshold number, reporting the unwanted e-mail request violations (Col. 16, L. 19-30)

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Cobb's teachings of determining whether a number of reports of unwanted e-mail request violations by a specific e-mail sender exceeds a threshold number; and when the number of reports of unwanted e-mail request violations exceeds the threshold number, reporting the unwanted e-mail request violations, with teaching of Macavinta in FTC searches for spam solution, in the teachings of Leeds in junk electronic mail

detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

31. Claim 13, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches reporting the unwanted e-mail request violations comprises providing the reports of unwanted e-mail request violations by the specific e-mail sender (page 1).

Leeds and Macavinta fail to teach wherein the threshold number exceeds one. However, Cobb, in the same field of endeavor having closely related objectivity, teaches wherein the threshold number exceeds one (i.e. 10 is greater than 1) (Col. 16, L. 19-30)

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Cobb's teachings of wherein the threshold number exceeds one, with teaching of Macavinta in FTC searches for spam solution, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

32. Claim 14, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches determining updated filter-out lists to include the specific e-mail sender; and sending the updated filter-out lists e-mail service providers (page 1).

Leeds and Macavinta fail to teach the number of reports of unwanted e-mail request violations exceeds the threshold number. However, Cobb, in the same field of endeavor having closely related objectivity, teaches the number of reports of unwanted e-mail request violations exceeds the threshold number (Col. 16, L. 19-30)

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Cobb's teachings of the number of reports of unwanted e-mail request violations exceeds the threshold number, with teaching of Macavinta in FTC searches for spam solution, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

33. Claim 15, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches the e-mail service providers comprise: internet service providers, HotMail, Yahoo!, Excite, Earthlink, GeoCities, AOL, Compuserve, Prodigy, MSN (i.e. AOL) (page 1).

34. Claim 16, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches the e-mail service providers filter-out subsequent e-mail messages from the specific e-mail sender in response to the updated filter-out lists (i.e. an opt-out choice which has an "email preference" option that remove the user's names from the spammer's email lists. In the other

word, this option is used to filter the email sender (spammer) from the user's mailbox. Thus, it is a response to the updated filter-out lists) (page 1).

35. Claim 17, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches reporting the unwanted e-mail request violations comprises providing the reports of unwanted e-mail request violations by the specific e-mail sender to a governmental entity selected from the group: law enforcement authorities, state authorities, federal authorities (i.e. FTC is a federal authority) (page 1).

36. Claim 18, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches reporting of unwanted e-mail request violations by other e-mail senders ("Another industry group, the Direct Marketing Association ... their names from marketing email lists" and "AOL supports Sen. Bob Torricelli's ... a fine of up to \$5000") (page 1).

Leeds and Macavinta fail to teach the threshold number is selected with respect to a number of reports of unwanted e-mail request violations. However, Cobb, in the same field of endeavor having closely related objectivity, teaches the threshold number is selected with respect to a number of reports of unwanted e-mail request violations (Col. 16, L. 19-30).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Cobb's teachings of the

threshold number is selected with respect to a number of reports of unwanted e-mail request violations, with teaching of Macavinta in FTC searches for spam solution, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

37. Claim 19, Leeds, Macavinta and Cobb are relied upon for the disclosure set forth in the previous rejection. Cobb teaches the threshold number is selected in response to a number of reports of unwanted e-mail request violations for most frequent e-mail senders; wherein the most frequent e-mail senders are selected from the group comprising: one hundredth, five hundredth, one thousandth (Col. 16, L. 19-30).

38. Claim 20, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches reporting of unwanted e-mail request violations by other e-mail senders ("Another industry group, the Direct Marketing Association ... their names from marketing email lists" and "AOL supports Sen. Bob Torricelli's ... a fine of up to \$5000") (page 1). Moreover, Leeds teaches determining whether the unwanted e-mail request violations occur within a set time period (paragraph 32).

Leeds and Macavinta fail to teach determining whether a number of reports of unwanted e-mail request violations by a specific e-mail sender

exceeds a threshold number. However, Cobb, in the same field of endeavor having closely related objectivity, teaches determining whether a number of reports of unwanted e-mail request violations by a specific e-mail sender exceeds a threshold number (Col. 16, L. 19-30).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Cobb's teachings of determining whether a number of reports of unwanted e-mail request violations by a specific e-mail sender exceeds a threshold number, with teaching of Macavinta in FTC searches for spam solution, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

39. Claim 25, Leeds and Macavinta are relied upon for the disclosure set forth in the previous rejection. Macavinta teaches reporting of violations of requests including an indication of the e-mail sender ("Another industry group, the Direct Marketing Association ... their names from marketing email lists" and "AOL supports Sen. Bob Torricelli's ... a fine of up to \$5000") (page 1). Moreover, Leeds teaches determining whether the unwanted e-mail request violations occur within a set time period (paragraph 32).

Leeds and Macavinta fail to teach identifying the e-mail sender when a number of reports of violations of requests including an indication of the e-mail sender exceeds a threshold. However, Cobb, in the same field of endeavor

Art Unit: 2145

having closely related objectivity, teaches identify the e-mail sender when a number of reports of violations of requests including an indication of the e-mail sender exceeds a threshold (Col. 16, L. 19-30).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have incorporated Cobb's teachings of identify the e-mail sender when a number of reports of violations of requests including an indication of the e-mail sender exceeds a threshold, with teaching of Macavinta in FTC searches for spam solution, in the teachings of Leeds in junk electronic mail detector and eliminator, for the purpose of providing improved users' satisfaction by eliminating unsolicited or junk emails.

40. Claims 21-22 are corresponding claims of claims 15,11. Therefore, they are rejected under the same rationale.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH-CHAU N. NGUYEN whose telephone number is (571)272-4242. The examiner can normally be reached on Monday-Friday from 8:00am - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JASON D. CARDONE can be reached on (571) 272-6159. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2145

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Examiner: Minh-Chau Nguyen  
Art Unit: 2145



**JASON CARDONE**  
SUPERVISORY PATENT EXAMINER